



April 3, 2003

Country of Origin Labeling Program  
Agricultural Marketing Service  
USDA STOP 0249  
1400 Independence Ave. SW  
Washington DC 20250-0249

SENT VIA E-MAIL: [cool@usda.gov](mailto:cool@usda.gov)

Dear Sir or Madam:

I am writing on behalf of Agri Beef Co., an Idaho based family owned company with cattle feeding operations in Idaho, Washington and Kansas. I am submitting these remarks pursuant to the USDA request for comments on the development of Mandatory Country of Origin Labeling requirements for certain "covered commodities" in this case specifically beef. It is our **first preference to maintain Voluntary requirements** in place of the Mandatory requirements. However, we do understand that Mandatory requirements were passed into law as part of the 2002 farm bill and that it is outside of the control of USDA to override that law. Therefore, we do appreciate you considering the following.

**Mandatory provisions as proposed would place Burdensome Record Keeping Requirements upon Domestic Producers.**

We ask the USDA to reconsider their interpretation of language that currently requires producers of covered commodities to "maintain auditable records documenting the origin of covered commodities."

In a highly fragmented industry such as the beef industry, where the average cow-calf producer raises approximately 40 head of cattle, this requirement will undoubtedly place a disproportionate percentage of the cost of compliance back on the producer segment. This is especially burdensome since the producer has relatively little opportunity to pass this cost on.

The USDA should make every attempt possible to allow for cost-effective verification and record keeping systems. Possible options include;

- Self-certification by producers.
- Affidavits signed by producers. (The industry is currently utilizing an affidavit system to certify that cattle have not been fed mammalian by-products.)
- Utilize current brand laws in western states and animal health transportation regulations that currently exist in **all** states to serve as documentation for cattle movements within the United States.
- Third party verifiable audit trails would only be required for cattle that cross USA borders. Audits would be initiated based upon border records. Documentation

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originating at the border would transfer with the cattle as they change hands. These cattle would in a sense have a “passport” that would stay with them until slaughter.

The options outlined above utilize existing systems and or controls governing animal health and movement to date. Adding another level of regulation and cost on the producer segment of the industry is not necessary.

The United States is home to the safest food supply in the world. Extensive resources have been dedicated to the entire food safety and inspection system. In addition, the producers of this country are dedicated to the production of safe and wholesome products for the consumer. It seems only logical to fully utilize the systems in place at our borders and those that govern inter and intra state cattle movements and ownership changes rather than create additional bureaucracy and cost. Requiring every producer in this country to be subject to third party audits and verification systems is simply not warranted to capture the intent of Congress when they passed this bill.

**Rules need to be provided to Producers so as to protect them from excessive demands placed upon them by Retailers and Packers.**

As the guidelines for mandatory country of origin labeling are developed, consideration needs to be given to producers who may be subject to excessive demands placed upon them by retailers and meat packers. We understand that this law will be enforced at the retail level and that retailers are subject to substantial fines if they do not comply with the provisions of the law.

As such, it is reasonable to expect that retailers will pass demands on to packers who will in turn pass them on to producers that help ensure that they are in compliance with the law. This is expected and warranted. However, as the deadline for the Mandatory provisions of this law move ever closer, it is important that USDA expediently issue some guidance relating specifically to producer requirements so as to prevent retailers from demanding undue requirements upon them.

In closing, I would like to reiterate our faith in today’s US food safety program. Our borders are secure. State veterinarians and brand inspectors are diligently monitoring the movement and ownership transfer of cattle between states and with-in states. In addition, producers are genuinely dedicated to the production of safe and wholesome products. It is in the best interests of the industry and more importantly the consumer, to take full advantage of these systems to enforce the provisions of this new law rather than add more cost and regulation.

Respectfully,



Robert Rebholtz, Jr.  
President/CEO